



DOCKET NO: C1039.70052US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Weiner et al.  
Serial No: 09/888,326  
Confirmation No: 7237  
Filed: June 22, 2001  
For: METHODS FOR ENHANCING ANTIBODY-INDUCED  
CELL LYSIS AND TREATING CANCER

Examiner: Jon E. Angel  
Art Unit: 1635

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 26th day of January, 2004.

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

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Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. § 1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications (copies enclosed) that may contain subject matter related to this application:

Docket No.	Serial No.	Filing Date	Inventor(s)
C1037.70016US00	09/009,634	01-20-1998	Hutcherson et al.
C1039.70057US00	09/965,101	09-26-2001	Davis et al.
C1039.70062US00	10/187,489	07-02-2002	Krieg et al.
C1039.70069US00	10/314,578	12-09-2002	Krieg et al.
C1041.70035US00	10/373,381	02-25-2003	Wagner et al.
C1039.70070US00	10/382,822	03-06-2003	Krieg et al.
C1039.70072US00	10/434,696	05-09-2003	Davis et al.
C1039.70071US00	10/435,656	05-09-2003	Krieg et al.
C1037.70046US00	10/445,247	06-05-2003	Krieg
C1037.70045US00	10/613,228	07-03-2003	Krieg
C1037.70042US00	10/613,524	07-03-2003	Krieg
C1037.70044US00	10/613,736	07-03-2003	Krieg
C1037.70043US00	10/613,739	07-03-2003	Krieg
C1037.70041US00	10/613,749	07-03-2003	Krieg
C1039.70075US00	10/613,916	07-03-2003	Krieg et al.
C1039.70077US00	10/619,279	07-14-2003	Krieg
C1039.70078US00	10/627,331	07-25-2003	Krieg et al.
C1039.70079US00	10/627,413	07-25-2003	Krieg et al.
C1039.70082US00	10/631,676	07-30-2003	Krieg et al.
C1037.70049US00	10/643,141	08-18-2003	Hutcherson et al.
C1037.70048US00	10/644,052	08-19-2003	Jurk et al.
C1039.70084US00	10/649,584	08-25-2003	Krieg et al.
C1037.70051US00	10/666,733	09-19-2003	Bratzler et al.
C1041.70040US00	10/666,844	09-19-2003	Lipford et al.
C1037.70052US00	10/668,050	09-22-2003	Bratzler et al.
C1039.70083US00	10/690,495	10-21-2003	Krieg et al.
C1039.70021US01	10/719,493	11-21-2003	Krieg et al.

Docket No.	Serial No.	Filing Date	Inventor(s)
C1037.70038US01	10/735,592	12-11-2003	Krieg et al.
C1039.70073US00	10/743,626	12-22-2003	Krieg et al.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
Weiner et al., *Applicant*

By: 

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Docket No. C1039.70052US00

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**X01/26/04X**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 1

APPLICATION NO.: 09/888,326

ATTY. DOCKET NO.: C1039.70052US00

FILING DATE: June 22, 2001

CONFIRMATION NO.: 7237

APPLICANT: Weiner et al.

GROUP ART UNIT: 1635

EXAMINER: Jon E. Angel

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A40	2002/0091097	A1	Bratzler et al.	07-11-2002
	A41	2002/0164341	A1	Davis et al.	11-07-2002
	A42	2003/0050263	A1	Krieg et al.	03-13-2003
	A43	2003/0050268	A1	Krieg et al.	03-13-2003
	A44	2003/0091599	A1	Davis et al.	05-15-2003
	A45	2003/0055014	A1	Bratzler	03-20-2003
	A46	2003/0100527	A1	Krieg et al.	05-29-2003
	A47	2003/0104523	A1	Lipford et al.	06-05-2003
	A48	2003/0139364	A1	Krieg et al.	07-24-2003
	A49	2003/0148976	A1	Krieg et al.	08-07-2003
	A50	2003/0148316	A1	Lipford et al.	08-07-2003
	A51	2003/0166001	A1	Lipford	09-04-2003
	A52	2003/0181406	A1	Schetter et al.	09-25-2003
	A53	2003/0191079	A1	Krieg et al.	10-09-2003
	A54	2003/0232074	A1	Lipford et al.	12-18-2003

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B34	WO	02/069369	A2		09-06-2002	

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]